



**GENERAL INFORMATION, INSTRUCTIONS, AND  
DEFINITIONS FOR COMMISSION FOREIGN  
PRODUCER/EXPORTER QUESTIONNAIRES**

**Internal Combustion Industrial Forklift Trucks from Japan  
Investigation No. 731-TA-377 (Second Review)**

***Further information.--If you have any questions concerning the enclosed questionnaire(s) or other matters related to this review, you may contact the following members of the Commission's staff (Fax 202-205-3205):***

***Cynthia Trainor, investigator (202-205-3354; E-mail [cynthia.trainor@USITC.GOV](mailto:cynthia.trainor@USITC.GOV)) regarding general questions and trade and related information; and***

***Gerry Benedick, economist (202-205-3244; E-mail [gerald.benedick@USITC.GOV](mailto:gerald.benedick@USITC.GOV)) regarding market related information.***

## **GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS**

### **GENERAL INFORMATION**

**Background.**--On June 7, 1988, the Department of Commerce issued an antidumping duty order on imports of internal combustion industrial forklift trucks ("ICI forklift trucks") from Japan (53 F.R. 20882). On March 1, 2005, the Commission instituted a review pursuant to section 751(c) of the Tariff Act of 1930 (19 U.S.C. § 1675(c)) (the Act) to determine whether revocation of the order would be likely to lead to continuation or recurrence of material injury to the domestic industry within a reasonably foreseeable time (70 F.R. 9971). If the Commission makes an affirmative determination, the order will remain in place. If the Commission makes a negative determination, the Department of Commerce will revoke the order.

Additional questionnaires will be supplied promptly upon request, or photocopies of the enclosed questionnaire(s) may be used. Address all correspondence to the United States International Trade Commission, Washington, DC 20436. Hearing-impaired individuals can obtain information regarding this review via the Commission's TDD terminal (202-205-1810).

**Due date of questionnaire(s).**--Return the completed questionnaire(s) to the United States International Trade Commission by no later than **September 9, 2005**. Although the enclosed postpaid envelope may be used to return the completed questionnaire, use of an overnight mail service may be necessary to ensure that your response actually reaches the Commission by **September 9, 2005**. If you do not use the enclosed envelope, please make sure the completed questionnaire is sent to the attention of Cynthia Trainor. **Return only one copy of the completed questionnaire(s), but please keep a copy for your records so that you can refer to it if the Commission staff contacts you with any questions during the course of the review.**

**Service of questionnaire response(s).**--In the event that your firm is a party to this review, you are required to serve a copy of the questionnaire(s), once completed, on parties to the proceeding that are subject to administrative protective order (see 19 CFR § 207.7). A list of such parties is maintained by the Commission's Secretary and may be obtained by calling 202-205-1803. A certificate of service must accompany the copy of the completed questionnaire(s) you submit (see 19 CFR § 207.7).

## **GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS--Continued**

### **GENERAL INFORMATION--Continued**

**Confidentiality.**--The commercial and financial data furnished in response to the enclosed questionnaire(s) that reveal the individual operations of your firm will be treated as confidential by the Commission to the extent that such data are not otherwise available to the public and will not be disclosed except as may be required by law (see 19 U.S.C. § 1677f). Such confidential information will not be published in a manner that will reveal the individual operations of your firm; however, nonnumerical characterizations of numerical business proprietary information (such as discussion of trends) will be treated as confidential business information only at the request of the submitter for good cause shown.

**Verification.**--The information submitted in the enclosed questionnaire(s) is subject to audit and verification by the Commission. To facilitate possible verification of data, please keep all your workpapers and supporting documents used in the preparation of the questionnaire response(s).

**Release of information.**--The information provided by your firm in response to the questionnaire(s), as well as any other business proprietary information submitted by your firm to the Commission in connection with the review, may become subject to, and released under, the administrative protective order provisions of the Tariff Act of 1930 (19 U.S.C. § 1677f) and section 207.7 of the Commission's Rules of Practice and Procedure (19 CFR § 207.7). This means that certain lawyers and other authorized individuals may temporarily be given access to the information for use in connection with this review or other import-injury investigations or reviews conducted by the Commission on the same or similar merchandise; those individuals would be subject to severe penalties if the information were divulged to unauthorized individuals.

### **INSTRUCTIONS**

**Answer all questions.**--Do not leave any question or section blank unless a questionnaire expressly directs you to skip over certain questions or sections. If the answer to any question is "none," write "none." **If information is not readily available from your records in exactly the form requested, furnish carefully prepared estimates--designated as such by the letter "E"--and explain the basis of your estimates.** Answers to questions and any necessary comments or explanations should be supplied in the space provided or on separate sheets attached to the appropriate page of the questionnaire(s). If your firm is completing more than one questionnaire in connection with this review (i.e., a producer, importer, purchaser, and/or foreign producer questionnaire), you need not respond to duplicated questions in the questionnaires.

## **GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS--Continued**

### **INSTRUCTIONS--Continued**

**Consolidate all establishments in Japan.**--Report the requested data for your establishment(s) located in Japan. **Firms operating more than one establishment should combine the data for all establishments into a single report.**

### **DEFINITIONS**

**Internal Combustion Industrial ("ICI") Forklift Trucks.** --Operator-riding forklift trucks powered by gasoline, propane, or diesel fuel internal combustion engines of off-the-highway types used in factories, warehouses, or transportation terminals for short-distance transport, towing, or handling of articles with lifting capacity of 2,000 to 15,000 pounds. These trucks are of the Class 4 (internal combustion engine trucks, counterbalanced (cushion tires)) and Class 5 (internal combustion engine trucks, counterbalanced (pneumatic tires)) as recognized by the Industrial Truck Association ("ITA").

This review includes assembled, not assembled, and less than complete finished and unfinished internal combustion forklift trucks. Less than complete internal combustion forklift trucks are defined as the frame by itself or the frame assembled with one or more component parts.

Other component parts of the subject forklift trucks which are not assembled with a frame are not covered by the original antidumping order, and therefore, are not the subject of this review (although certain information is being requested on these "other component parts" in the questionnaires).

Imports of these products were classified under items 692.4025, 692.4030 and 692.4070 of the former Tariff Schedules of the United States Annotated ("TSUSA"), and are currently classifiable under Harmonized Tariff Schedule of the United States ("HTSUS") subheadings 8427.20, 8427.90.00, and 8431.20.00. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description remains dispositive.

**Firm.**--An individual proprietorship, partnership, joint venture, association, corporation (including any subsidiary corporation), business trust, cooperative, trustee in bankruptcy, or receiver under decree of any court.

## **GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS--Continued**

### **DEFINITIONS--Continued**

**Related firm.**--A firm that your firm solely or jointly owned, managed, or otherwise controlled; a firm that solely or jointly owned, managed, or otherwise controlled your firm; and/or a firm that was solely or jointly owned, managed, or otherwise controlled by a firm that also solely or jointly owned, managed, or otherwise controlled your firm.

**Establishment.**--Each facility of a firm in Japan involved in the production of ICI forklift trucks (as defined above), including auxiliary facilities operated in conjunction with (whether or not physically separate from) such facilities.

**United States.**--For purposes of this review, the 50 States, Puerto Rico, the U.S. Virgin Islands, and the District of Columbia.

**Importer.**--Any person or firm engaged, either directly or through a parent company or subsidiary, in importing ICI forklift trucks (as defined above) into the United States from a foreign manufacturer or through its selling agent.

**Average production capacity.**--The level of production that your establishment(s) could reasonably have expected to attain during the specified periods. Assume normal operating conditions (i.e., using equipment and machinery in place and ready to operate; normal operating levels (hours per week/weeks per year) and time for downtime, maintenance, repair, and cleanup; and a typical or representative product mix).

## **GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS--Continued**

### **DEFINITIONS--Continued**

**Production**--All production in your establishment(s) in Japan, including production consumed internally within your firm.

**Shipments**--Shipments of products produced in your establishment(s) in Japan.

**Shipment quantities**--Quantities reported should be net of returns.

**Shipment values**--Values reported should be net values (i.e., gross sales values less all discounts, allowances, rebates, prepaid freight, and the value of returned goods) in U.S. dollars, f.o.b. your point of shipment in Japan.

**Home market commercial shipments**--Shipments, other than internal consumption and transfers to related firms, within Japan.

**Home market internal consumption/transfers to related firms**--Shipments made to related firms in Japan, including product consumed internally by your firm.

**Export shipments**--Shipments to destinations outside Japan, including shipments to related firms.

**Inventories**--Finished goods inventory, not raw materials or work-in-progress.